

107TH CONGRESS
2D SESSION

H. R. 4544

To provide for the conveyance of the Sunflower Army Ammunition Plant,
Kansas.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2002

Mr. MOORE introduced the following bill; which was referred to the Committee
on Armed Services

A BILL

To provide for the conveyance of the Sunflower Army
Ammunition Plant, Kansas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LAND CONVEYANCE, SUNFLOWER ARMY AMMU-**
4 **NITION PLANT, KANSAS.**

5 (a) CONVEYANCE REQUIRED.—The Secretary of the
6 Army shall convey, without consideration, to the Johnson
7 County Park and Recreation District, Kansas (in this sec-
8 tion referred to as the “District”), all right, title, and in-
9 terest of the United States in and to a parcel of real prop-
10 erty, including any improvements thereon, in the State of

1 Kansas consisting of approximately 2,800 acres and con-
2 taining the Sunflower Army Ammunition Plant. The pur-
3 pose of the conveyance is to permit the District to use
4 the parcel for recreational purposes.

5 (b) ENVIRONMENTAL MATTERS.—(1) With respect to
6 the parcel conveyed under subsection (a), the Secretary
7 of the Army shall retain responsibility for carrying out,
8 to levels consistent with the intended use of the parcel by
9 the District—

10 (A) any response action that may be required
11 under the Comprehensive Environmental Response,
12 Compensation, and Liability Act of 1980 (42 U.S.C.
13 9601 et seq.) or other applicable provisions of law;
14 and

15 (B) any action required under any other statute
16 to remediate petroleum products (or their deriva-
17 tives) or propellants (or their derivatives).

18 (2) Any Federal department or agency that had or
19 has operations resulting in the release or threatened re-
20 lease of any hazardous substances, petroleum products (or
21 their derivatives) or propellants (or their derivatives) on,
22 under, or about the parcel conveyed under subsection (a),
23 and any Federal department or agency that owned the
24 parcel at the time of such release or threatened release,
25 shall pay the cost of any response action or other action

1 that may be necessary to remediate the parcel to levels
2 consistent with the intended use of the parcel by the Dis-
3 trict.

4 (3) In accepting the parcel conveyed under subsection
5 (a), the District—

6 (A) shall not be treated as a responsible party
7 under section 107(a) of the Comprehensive Environ-
8 mental Response, Compensation, and Liability Act
9 of 1980 (42 U.S.C. 9607(a)), or any other applica-
10 ble provision of law, for performing, or paying the
11 cost of, any response action or other action that may
12 be necessary as the result of any release or threat-
13 ened release of hazardous substances, petroleum
14 products (or their derivatives) or propellants (or
15 their derivatives) on, under, or about the parcel as
16 a result of activities on the parcel before the date of
17 the conveyance; and

18 (B) shall not be subject to suit for contribution
19 for any cost described by subparagraph (A) under
20 section 113(f) of the Comprehensive Environmental
21 Response, Compensation, and Liability Act of 1980
22 (42 U.S.C. 9613(f)), or any other applicable provi-
23 sion of law.

24 (c) EXCEPTION FROM SCREENING REQUIREMENT.—
25 The Secretary shall make the conveyance under subsection

1 (a) without regard to the requirement under section 2696
2 of title 10, United States Code, that the property be
3 screened for further Federal use in accordance with the
4 Federal Property and Administrative Services Act of 1949
5 (40 U.S.C. 471 et seq.).

6 (d) DESCRIPTION OF PROPERTY.—(1) The exact
7 acreage and legal description of the real property to be
8 conveyed under subsection (a) shall be determined by a
9 survey satisfactory to the Secretary.

10 (2) The Secretary may use for the purpose of para-
11 graph (1) a survey prepared by the National Park Service
12 if the Secretary determines that the survey is appropriate
13 for that purpose.

14 (3) If the Secretary obtains for the purpose of para-
15 graph (1) a survey other than the survey described in
16 paragraph (2), the cost of such survey shall be borne by
17 the District.

18 (e) ADDITIONAL TERMS AND CONDITIONS.—The
19 Secretary may require such additional terms and condi-
20 tions in connection with the conveyance of real property
21 under subsection (a) as the Secretary considers appro-
22 priate to protect the interests of the United States.

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